IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

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**WRIT PETITION NO : 12510 of 2004**

Between:

Vennapusa China Venkateswarlu, S/o. Venkataiah,
R/o.Thimmareddipalem,(V), Lingasamudram (M), Prakasam Dist.

**..... PETITIONER**

AND

1 The Dist.Collector, Prakasam Dist, Ongole.
2 Revenue Divisional officer, Kandukur, Prakasam Dist.
3 Mandal Revenue officer, Lingasamudram (M), Prakasam Dist.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the contemplated action of the respondents to demarcate and to show any extent of petitioners land out of Ac.1.50 cents in Sy.No.374/1 and 375/1 of Thimmareddipalem village towards house sites to anybody is illegal, irregular and violative of principles of natural justice and Art: 14, 19, 21 and 300-A of the Constitution of India and also standing order 15 of the AP Board of Revenue standing orders and consequently direct the respondents not to interfere with his land and assignment in any manner.

**Counsel for the Petitioner:MR.SATYANARAYANA NIMMAGADDA**

**Counsel for the Respondents 1 to 3: GP FOR REVENUE**

**The Court at the stage of admission made the following ORDER:**

The petitioner, who was granted D form patta for the land to an extent of Ac.1-50 cents in survey No.374/1 and 375/1 situated at Thimmareddipalem Village, filed the present writ petition contending that adjacent to his land, certain house site pattas were granted to the 206 beneficiaries in the year 1999 by the respondents without there being any actual site available and in the process, the respondents are trying to evict him from the suit schedule property without following due procedure.

Having regard to the facts and circumstances of the case, the respondents are hereby directed to give possession of the patta lands to the beneficiaries without disturbing the possession of the petitioner over an extent of Ac.1-50 cents as per the assigned patta granted in his favour in survey No.374/1 and 375/1. If in the process, there is no sufficient land available, the respondents shall demarcate the land belongs to the petitioner and the remaining land only be taken for granting house site pattas to the beneficiaries.

The writ petition is accordingly disposed of. No costs.

20th JULY, 2004.

kvni

To

1 The Dist.Collector, Prakasam Dist, Ongole.
2 Revenue Divisional officer, Kandukur, Prakasam Dist.
3 Mandal Revenue officer, Lingasamudram (M), Prakasam Dist.

4 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad.(OUT)

5 Two CD copies.